

## GEORGE J. GOULD'S DENIAL

HE SAYS MRS. NICOLAUS NEVER HAD HIS CHECK FOR \$40,000.

SHE RECEIVED SOME MONEY FROM HIM AS ALMS—HOWE &amp; HUMMEL HINT AT INTERESTING DISCLOSURES.

The mystery surrounding the suit which has been brought in the Superior Court by Miss Zella Nicolaus against George J. Gould is as deep as ever. Mrs. Nicolaus had Albert Hummel appointed guardian ad litem on Tuesday for the purpose of bringing the suit. She says that she is eighteen years old, and that George J. Gould gave her a check for \$40,000 last March, which he afterward obtained and appropriated to his own use. Howe & Hummel are counsel for Mrs. Nicolaus. They have declined to say who their client is, where she lives or who her guardian is or where he lives. Mr. Gould made a statement in which he said that all he knew about the woman was that she had applied to him for charity. Neither Mr. Howe nor Mr. Hummel would give much information about the case, but they expressed surprise at Mr. Gould's statement.

MR. GOULD'S DENIAL.

Friends of Mr. Gould do not hesitate to denounce the suit. They regard it as a case of blackmail, and say that if any woman obtained such a check from Mr. Gould she would not hold it, or surrender it, or wait months before taking legal action to establish any rights which she might claim. A positive denial of any liability in the matter is made by Mr. Gould himself. He was asked Tuesday night at Lakewood, N. J., for an explanation of the facts, which came out after a long and tedious court proceeding, and declined to make any statement until yesterday. In the morning Mr. Gould came to his office in the Western Union Telegraph Company's building, and he started for Lakewood at his usual hour of departure. Mr. Gould saw a Tribune reporter, and spoke frankly of the case, but requested that he should not be quoted personally for more than the official statement which he had authorized W. B. Somerville, press agent of the Western Union Telegraph Company, to give out. Mr. Somerville subsequently said that he had taken down a statement from Mr. Gould, which could be used as an interview in the first person. Mr. Gould said:

"I know nothing of such a suit as is mentioned in the morning newspapers. No legal papers have been served upon me. If any should be, the matter will be referred to my lawyers. I never gave the woman any check for any amount. It is evidently a scheme to extort money from me. The woman came to my office about a year ago, claiming to know several prominent people in Chicago, with some of whom I am personally acquainted, and represented that she was in destitute circumstances and wished to get to her home. She showed me a letter with the means for doing so. It seems, however, that she did not go, calling at my office several times afterward. I had to decline to see her."

THE WOMAN BEGGED ALMS.

Mr. Somerville explained further that Mr. Gould told him that the woman mentioned George M. Pullman, of Chicago, and ex-Mayor Abraham S. Hewitt, as among the persons she knew. She said that she had been deserted by her husband and was without any means whatever, and she wanted to get back to her home, which was somewhere near Chicago. She said she was in an absolutely destitute condition, and her story appeared to Mr. Gould's sympathies, and he gave her enough money to enable her to go home. Mr. Gould did not give her a pass because of a rule he follows not to issue passes to any woman, but he gave her the money. The woman received the money and went away, but she returned in about a week and Mr. Gould saw her again. She gave some explanation of the fact that she had spent the money for necessary purposes. She came back in only a day or two and called several times later. It finally dawned upon Mr. Gould, according to Mr. Somerville's statement, that she was only trying to get money out of him and he refused to see her. It was only on the first two occasions that Mr. Gould saw her.

According to the story told by the clerks in Mr. Gould's office, the woman was dressed well and had an appearance of refinement. She is described as being about medium height and rather good looking. There is no doubt, however, that she was a demagogue, but the clerks think she behaved at times in a manner to suggest light-headedness. When Mr. Gould issued his orders that he could not believe in statements made to her by the clerks that he was not in when she called. She would sit for hours in the ante-room of the offices and at times would insist that the clerks who answered her inquiries that he was not telling the truth. "I know Mr. Gould is in," she would say with a smile which is described as "enraging." "You don't think that you can enter the Kingdom of Heaven if you are not?"

The clerks say that at times they grew tired of her persistent reflections upon their veracity and were tempted to use harsh measures, but on other days they would sit in the office all the afternoon if she wanted to waste her time. It was about two months ago that she made her last visit to Mr. Gould's offices.

THE GOULD OFFICE.

Mr. Gould's offices are not constructed in a manner to furnish a good basis for suits that have a sinister motive. Entering from the fifth floor of the Western Union building, facing west, the visitors come upon a small ante-room, furnished with a short settee, and admit to a large suite of rooms, two large and two small rooms, forming an L on Broadway and Dey-st. A large room with windows on both streets adjoins a somewhat smaller room facing on Dey-st. where Mr. Gould sits. The large room, with windows facing Broadway, is a study, and is filled with books. Adjoining Mr. Gould's private room, with a door opening into the ante-room, is a small room, fitted out for the accommodation of a stenographer. The clerks move with freedom from one room to another, and Mr. Gould is so to speak, under surveillance, even when he is talking confidentially with his numerous visitors from the financial and railroad world.

Late in the afternoon Mr. Howe, of Howe & Hummel, the counsel for Mrs. Zella Nicolaus, said that David May, who is connected with the firm, had served the papers and summons upon Mr. Gould.

STATEMENT BY HOWE & HUMMEL.

Mr. Howe and Mr. Hummel met a small army of reporters in their law office in Centre-st. yesterday afternoon. The suit brought by Mrs. Nicolaus was the subject of inquiry. Neither lawyer was willing to give any of the interesting facts which each says are behind the innocent-looking papers which have been filed in court, but both were eager to enter about and free to comment upon the statement which had been given out by Mr. Gould.

"So Mr. Gould says that he never saw Mrs. Nicolaus except at his office, and that he never mentioned Mr. Hummel," "Does Mr. Gould deny that he ever called upon her?"

It was explained that Mr. Gould had not categorically said that, but that he had left it to be inferred from his statement that he only saw Mrs. Nicolaus at his office on two or three occasions.

"Hum," said Mr. Hummel.

"Hum," said Mr. Howe.

"Mr. Gould's story," said Mr. Hummel, "is utterly at variance with the statement which has been made to us by our client, and we do not recommend the poor girl came to us recommended by

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persons in whom we have the greatest confidence," said Mr. Howe. "She is a very young girl with the greatest hesitation. She was extremely reluctant to give the details, and at first refused to name the man who was the defendant in this suit. I have never seen her before. I told her firmly, but she said that we could not prosecute a suit unless we knew the name of the person whom we were to prosecute."

THERE MAY BE OTHER SUITS.

"Tell me everything," I said. "Speak to me as freely as if I were your father confessor." Then with blushes and stammering she told me all. I cannot tell you the story now. It will be told in court when the case is tried. But I will say that in all my thirty years' experience I never heard a story more startling and of such absolute conviction of truth. We had her statement reduced to writing and sworn to. A copy has been sent to Mr. Gould to-day. He has not yet answered it, but a copy of the statement filed in court, but we shall not file a copy unless Mr. Gould demands it."

"We are prepared to prove our case by other witnesses than Mrs. Nicolaus," said Mr. Hummel. "But under Mr. Gould's suit in his hands we can say nothing. He may not see fit to make the same statements to the court that he has to the newspapers."

"How long will Mr. Gould have to file his answer?" was asked.

"Twenty days for this suit," said Mr. Hummel, emphasizing "this."

"For this suit," asked some one. "Are more suits to be brought?"

"I said 'for this suit,'" said Mr. Hummel. "You gentlemen are experienced in the ways of the world, and can draw whatever inference you wish from my statement."

"Can you tell us any more about the plaintiff?"

"No. Except that she is young and charming, with blond silken hair and pink and white complexion."

"Is she a married woman?"

"She has been married."

"Does she live in Sixtieth or Sixty-first or Sixty-second-st., near Eighth-ave.?"

"I do not tell you that."

"Will the case be brought to trial soon?"

"We shall proceed as rapidly as possible. But Mr. Gould will not receive any favors because he is a millionaire."

"Would you compromise the suit if a reasonable offer were made?"

"Certainly. A lawyer is always ready to settle his cases out of court if he gets satisfaction."

Ex-Mayor Hewitt, whom Mrs. Nicolaus represented as among her acquaintances, was seen by a Tribune reporter. He had read of the suit against Mr. Gould. Asked if he knew anything of Mrs. Nicolaus, he said:

"I never heard of her. Of course I meet thousands of people whom I forget about, but I have no recollection of this person."

Col. H. D. Deane, 6-Zella Nicolaus lived in this city with her husband, William A. Nicolaus. When his first wife died, Nicolaus was one of Zella's leading drygoods merchants, being at the head of the firm of Natchour & Nicolaus, Nicolaus & Co., and Nicolaus & Co. He lived in Chicago, where he married Zella. He brought his new wife to this city, and lived in his large house on the west side. Mrs. Nicolaus was a widow, and she had been married to her husband, as she had lived here only two months when she and her husband went to Chicago. Nicolaus is now a traveling salesman for a drygoods firm in New-York City.

A FLAT THIEF CONVICTED AT LAST.

ASSISTANT DISTRICT ATTORNEY MACDONA SUCCESSFUL AFTER HARD WORK.

Assistant District Attorney Henry D. Macdonald, who had been successful in securing the conviction of Robert Etou, colored, of grand larceny in the second degree, Mr. Macdonald had accomplished this after so much labor that he received many congratulations for his perseverance. Etou had been tried twice before, and each time the jury disagreed. At the third endeavor Mr. Macdonald was successful. The trial was before Recorder Smyth in General Sessions.

Etou is a light negro, and was bellboy at the Hotel Manhattan-ave. on October 19, 1893, when he stole a sash, a blanket, and a blanket, worth \$30, from the flat of Mrs. Maria Thompson, 101 West 14th-st. In court he pleaded guilty. He said that he had given him the articles to pawn, so that he might buy liquor. This brazen pretense was believed by the jury, and he was sentenced to three months in the House of Correction.

At the first trial Etou defended himself with great skill. Recorder Smyth remanded him for sentence.

MANY THOUSANDS SHIVERING.

NEW-YORKERS' CAST-OFF CLOTHING WOULD PREVENT GREAT SUFFERING.

It is seldom that an appeal is made in vain to the generosity of New-Yorkers when the object of their charity is a worthy one, and it is also a rare occurrence when nearly as many inhabitants of the United States find themselves facing winter without adequate clothing.

Such was the case in South Carolina to-day, where the victims of the recent great cyclone which swept over the Sea Islands and adjacent coast line there, shiver through their chilly nights, without proper covering for their nakedness and with no hope of getting any by their own labor until after next harvest time.

There are hard just now even in wealthy New-York, and there are so many drafts upon the pocketbooks of everybody about Christmas time that one is tempted to turn a deaf ear to the calls of outsiders, even though they feel deep sympathy for their distressed condition. It is just in order to meet this state of things that a movement was started by the Comptess Françoise du Telegraph de Paris a New-York, whose wife, Dr. Lucy M. Hall-Brown, in a generous impulse, has taken charge of the relief work among these sufferers. Mr. Brown asked for gifts of old clothing suitable for both sexes and all ages, and if the givers are not able to send their gifts to his address, he will be glad to receive them at his home, and when such gifts are awaiting him, he will dispatch wagons to convey them to the needy.

True, the public-spirited and practical movement was started last night with an agreeable subscription, but it is hoped that the rest of the city will follow the lead.

Do not forget a Christmas gift for the wretched negroes about Beaufort.

FRANK S. BENSON CAN PASS THE TITLE

A DECISION REGARDING PROPERTY AT MONTAUK POINT VALUED AT \$200,000.

Austin Corbin, the Long Island Railroad Company and the Protestant Episcopal Church have failed to gain a victory in the action brought against them by Frank S. Benson, of Columbia Heights, Brooklyn, several weeks ago, before Judge Dykman, in the Supreme Court at White Plains. A decision in the case was filed yesterday in the County Clerk's office at White Plains in favor of the plaintiff, Mr. Benson, the complainant.

Mr. Benson, the complainant, is a son of Arthur Benson, who died in 1885, leaving several thousand acres of land at Montauk Point, and the house known as No. 214 Columbia Heights. The Long Island Railroad Company was anxious to obtain the Montauk Point property, and Austin Corbin and Thomas C. Platt entered into negotiations with the railroad company, offering to sell the property for \$200,000, the railroad company agreeing to pay him \$40,000 at the performance of the contract, and the rest when the title was obtained.

The railroad company's lawyers, in making a search of titles found that by the terms of his father's will, Frank Benson and his sister Mary were to have possession of the property. The death of their mother, and that in case of her death it was to pass to their direct issue. No direct issue surviving them, the estate was to be divided equally between the railroad company and the Protestant Episcopal Church.

Judge Dykman says: "The general rule must apply and control the case, that the death of the children without issue must be treated as if they had died, and that both having survived him, they took the absolute fee in the property, and can convey it to whomever they please for the relief demanded in the complaint."

ARTISTIC HANDWORK OF WOMEN.

People who like to have pretty things about their houses or to give them to their friends, and can say for really artistic work, would do well in the course of their Christmas shopping to look in at the rooms of the Society of Decorative Art, No. 24 Columbia Heights. The house known as No. 24 Columbia Heights. The Long Island Railroad Company was anxious to obtain the Montauk Point property, and Austin Corbin and Thomas C. Platt entered into negotiations with the railroad company, offering to sell the property for \$200,000, the railroad company agreeing to pay him \$40,000 at the performance of the contract, and the rest when the title was obtained.

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the old-fashioned church fair are rigorously ruled out. There is much really beautiful needlework, daintily embroidered centre-pieces for dinner-tables and doilies to match, pretty linen photograph frames, cases for vells, handkerchiefs and gloves in great variety and billowy bunches of silk and linen flowers and curtains. Some Christmas greens put together with especial care are a noteworthy feature, the hand-painted china is a joy to the eye, and some of the most beautiful work took a medal at the World's Fair.

THE COURTS.

TAXES ON INTERSTATE BUSINESS.

THE SUPREME COURT DECIDES A SUIT AGAINST THE RAILROADS.

Albany, Dec. 6 (Special).—The State of New-York will apparently be the richer by \$400,000, and by \$350,000 annually hereafter, by virtue of a unanimous opinion given by Judges Mayham, Herlick and Putnam, of the General Term of the Superior Court, to-day. In this opinion they sustain the contention of Attorney-General Rosendale and Counsel Campbell that the railroads doing business in this State shall pay a tax upon their interstate business. The railroads have contended that the State Constitution forbids any taxation of this business, but the Controller and the Attorney-General have held that the part of the interstate business which is done within the limits of this State is subject to tax. The World's Fair business of this year therefore will be subject to a State tax.

COURT OF APPEALS CALENDAR.

Albany, Dec. 6.—The Court of Appeals day calendar for to-morrow is Nos. 116, 75, 101, 73, 119, 131, 132, 133.

COURT CALENDARS FOR TO-DAY.

Supreme Court—General Term—Before Van Brunt, P. J., Parker and O'Brien, JJ.—Nos. 62, 72, 78, 49, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

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